

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office FEB 03 1993  
Returned to applicant for correction MAR 01 1993  
Corrected application filed APR 29 1993 Map filed APR 29 1993 under 58518

The applicant Mentaberry Brothers and Bureau of Land Management  
P.O. Box 248 of McDermitt  
Street and No. or P.O. Box No. City or Town  
Nevada 89421 hereby make application for permission to change the  
State and Zip Code No.  
manner of use and the place of use of a portion  
Point of diversion, manner of use, and/or place of use  
of water heretofore appropriated under Permit No. 28179 Certificate No. 9450  
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and  
identify right in Decree.

1. The source of water is underground  
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 0.1 c.f.s.  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for stockwatering purposes (231 head of cattle)  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for mining and milling  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point within the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 22, T.47N.,  
Describe as being within a 40-acre subdivision of public survey and by course and  
R.37E., M.D.B.&M. or at a point from which the NW corner of said Section 22  
distance to a section corner. If on unsurveyed land, it should be stated.  
bears N 59° 53' 10" W a distance of 188.51 feet.
6. The existing permitted point of diversion is located within the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 22, T.47N.,  
If point of diversion is not changed, do not answer.  
R.37E., M.D.B.&M., or at a point from which the NW corner of said Section 22  
bears N 59° 53' 10" W a distance of 188.51 feet.
7. Proposed place of use within the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 22, T.47N., R.37E., M.D.B.&M.  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 22; SW $\frac{1}{4}$  of Section 23, NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
26; NE $\frac{1}{4}$ , E $\frac{1}{2}$  NW $\frac{1}{4}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$  and the E $\frac{1}{2}$  SW $\frac{1}{4}$  of Section 27; NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 34; all within T.47N., R.37E.,  
manner of use of irrigation permit, describe acreage to be removed from irrigation.  
M.D.B.&M. Manner of use to be changed from mining and milling to stockwatering.
9. Use will be from January 1st to December 31st of each year.  
Month and Day Month and Day
10. Use was permitted from January 1st to December 31st of each year.  
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) completed well, pump, and trough.  
State manner in which water is to be diverted, i.e. diversion structure,  
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works completed
13. Estimated time required to construct works completed

14. Estimated time required to complete the application of water to beneficial use..... 1 year

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

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Desert-Mountain, Inc. as agent  
By s/John H. Milton III  
146 West Second Street  
Winnemucca, NV 89445

Compared..... bc/bc      ll/ gkl

Protested.....

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:  
This permit to change the place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 28179, Certificate 9450, is issued subject to the terms and conditions imposed in said Permit 28179, Certificate 9450, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of water herein granted at any and all times but does not take responsibility for the use of the Federal range.  
This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.  
The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.  
(CONTINUED ON PAGE 3)

## (PERMIT TERMS CONTINUED)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0072 cubic feet per second, or sufficient to water 231 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before:

June 15, 2007

Proof of completion of work shall be filed on or before:

July 15, 2007

Water must be placed to beneficial use on or before:

June 15, 2008

Proof of the application of water to beneficial use shall be filed on or before:

July 15, 2008

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 15th day of June, A.D. 2006

  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed N/A

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_